

In the United States Court of Federal Claims

No. 13-662C

(Filed January 2, 2014)

NOT FOR PUBLICATION

ALLEN ENGINEERING
CONTRACTOR INC.,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

ORDER

The Court received plaintiff's counsel's motion for leave to withdraw as counsel of record on December 31, 2013. The motion states that while the plaintiff, a corporation, does not object to the withdrawal of its attorney of record, a new attorney has not been obtained. The Rules of the United States Court of Federal Claims ("RCFC") require that at all times corporations be represented by an attorney qualified to practice before this court. RCFC § 83.1(a)(3), (c)(1). Thus while plaintiff's counsel may withdraw with leave of the Court after notifying plaintiff, RCFC 83.1(c)(5), plaintiff may not proceed unrepresented for any period of time. See *Coakley & Williams Construction, Inc. v. United States*, 2012 WL 2866291, 1 (Fed.Cl. 2012) (citing *Julien v. Zeringue*, 864 F.2d 1572, 1574-75 (Fed.Cir. 1989)). A withdrawal without the substitution of a new attorney, therefore, could cause the dismissal of plaintiff's claim from this court. *Id.*

The Court, accordingly, will defer action on plaintiff's counsel's motion for leave to withdraw. Plaintiff has sixty days, until **Monday, March 3, 2014**, to file a notice of substituted counsel pursuant to RCFC 83.1(4). The Joint Preliminary Status Report, currently due January 3, 2014, is **STAYED** and will be due 21 days after substitute counsel files a notice of appearance.

IT IS SO ORDERED.

s/ Victor J. Wolski

VICTOR J. WOLSKI

Judge